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NARCOTIC ADDICTION AND CRIMINALITY

Pablo Osvaldo Wolff¹

Crime in the legal sense of the word is a conventional concept that varies from place to place and from time to time. Crimes appear and vanish in proportion to the changes in political and religious ideology, and also social and economic conditions.

In order to study the cause of crime and the criminal, it is not only necessary to examine the criminal himself, but also his surroundings. Without a profound and detailed study of the criminal it is not possible to determine the individual motives of his action. Crimes should be considered in their dynamic aspect, viz. as tendencies of reaction. But to discover such tendencies requires knowledge of what encouraged these actions, or in other words, the psychological circumstances capable of influencing the criminal, such as his form of life, in the fullest sense. The etiological study of crime should show, therefore, the general structure of the social medium where the criminal has lived, as well as his immediate environment, his antecedents, and lastly, the psychological elements which caused his peculiar, morbid reaction. At the occasion of the Second International Congress of Mental Hygiene, held in Paris in 1937, Kinberg explained that each crime is the product of a psychological evolution. Even in cases where the apparent spontaneity appears to prove the accidental character of the respective misdemeanors, and therefore that crime is a reaction to a stimulant of circumstances, a profound psychological analysis will demonstrate that, in reality, such crime was prepared by psychological changes, which, I admit, are frequently imperceptible or appear to be insignificant.

These general concepts are also applicable in a large degree to the relations between narcotic addiction and criminality, which have so many points of contact with social hygiene.

A few words, no more, on the legal and administrative dispositions which constitute material of fundamental importance for our subject and which merit a detailed study apart. They have been treated elsewhere by Rogelio E. Carratalá in his paper *Toxicomanía y Delincuencia* presented at the First Latin American Congress of Criminology held with the greatest scientific success under the presidency of Osvaldo Loudet in 1938 in Buenos Aires.

Today the international conventions are those which form, in considerable part, the base for national legislation. After the First International Convention in 1912 which resulted from conferences held before, followed the conferences in Geneva in 1925 and 1931, and the one which interests us especially here, of 1936. The later one briefly establishes international collaboration in

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respect to the penal and police part of the suppression of illicit drug traffic.

It is not necessary to examine here the importance of such conventions for the problem of the relations between narcotic addiction and criminality. It came into force October 26, 1939, but up to the present has not reached any considerable efficiency for not having been ratified by numerous of the interested countries. This is partly due to the fact that it requires adaptation of the existing national laws to the stipulations of the said convention. Meanwhile the majority of the States, 63 of them to be exact, have already acceded to other international conventions on opium, for example, the Convention for limiting the Manufacture, etc., of Narcotic Drugs, of 1931. The Convention in question of 1936 has been signed till now only by 12 States.

Apart from these international conventions of world wide influence, special arrangements have been concluded between some countries. For example, the United States exchanges direct information on illicit traffic and other corresponding police work with the Narcotic Bureaus of 23 countries. The Argentine, however, has not signed arrangements of this type.

The opinions which have been expressed on the relation between criminality and narcotic addiction are not all identical. *Is narcotic addiction an illness or a vice?* The opinion has varied from one extreme to the other. To physicians, it means an illness. But this criterion does not embrace the whole question, for the addict can be simultaneously vicious, even a criminal, and his illness can be originated by his vice.

The broad discussion held during the 24th Session of the Opium Advisory Committee in Geneva in 1939 illustrates the puzzling situation. There were two theses delivered on the subject. According to the representatives of Poland and Switzerland, both well known physicians, narcotic addiction is an illness; meanwhile the representatives of the United States and Canada, also eminent national officials, but not physicians, emphasized the important part which narcotic addiction very often plays as an element in criminality.

The latest criterion is based preferably on the desire, while admitting the pathological state in each narcotic case, to avoid making the drug easier for the addict to get for an indefinite time. Furthermore, as the representative of Egypt, Sir Thomas Russell Pasha, who is at the same time Chief of Police of Cairo, explained, in countries where narcotic addicts are relatively rare, it is possible to treat addiction as an illness, but in primitive countries where narcotic addiction is a dominant factor, this system cannot be employed.

If narcotic addiction were a crime only perhaps we might have

more hope of extinguishing it completely. This is not impossible in respect to cocaine and marihuana which are almost or exclusively vicious habits. On the other hand, the situation is different in so far as it concerns morphine and opium in general. At present morphine is a necessity, that is to say, until science has found the substitute which will retain the inestimable therapeutic value of morphine as a sedative and analgesic, retaining all its good attributes, and at the same time dropping the quality that causes addiction (40). Until this perfection has been reached, morphine addiction will always be a chronic social disease, and there will be morphine addicts.

To consider narcotic addiction simply as a vice is without doubt very unjust, and above all has no scientific basis. On the other hand a false sentimentality is often found which appears to deny a priori the viciousness of drug addiction. Neither of these two extreme concepts corresponds to the authentic situation, as it frequently occurs with radical opinions in scientific topics.

Motives for Addiction

Furthermore, certain lamentable confusion in interpretation exists, which, however, seems to me easy to clear up:

The individual in question may be a perfect criminal, who has acquired the habit of taking drugs, perhaps intentionally using certain effects of them to accomplish his criminal purposes. He is the *addicted criminal*. On the other hand he may be a person who first became addicted to drugs for one reason or another, and afterwards, in consequence of their action, of abstinence syndroms and for other reasons, he commits misdemeanors. In this case we should speak of a *criminal addict*.

Every narcotic addict should be considered a potential criminal if he is pushed to a state which makes it necessary to resort to crime in order to obtain the drug. This is the experience of all countries, even when the use of absolutely different preparations provokes different individual reactions, e.g. for questions of race.

In addition to this type of addict there exists another who uses narcotics occasionally to annul the inhibitions at his intention to commit a crime, and not because of habit. In first line he uses alcohol, but also cocaine, heroine, or marihuana (the hasheesh of the Arabs). In these cases there is no really genuine drug addiction, but the temporary suppression of inhibitions due to the effect of the drug. This has nothing to do with the relations between narcotic addiction, viz. a persistent or at least a prolonged state, and criminality in the true sense of the word.

The imperative desire to procure and take drugs, when one is already an addict, is more vicious in one case than another, but the difference is implied in the *initial motives*. The attitude of

the real criminal to his drug differs much, to mention only the two extremes, from the attitude of the non vicious addict. The latter very often suffers from his created slavery, or at least laments it. It is this type that physicians have commonly to treat; usually this addict is a weak person, with a poorly balanced personality, and with all the consequences for his character, constitution, and attitude with which we are already familiar. The former, i.e. the criminal, laments also occasionally to have acquired the habit, but he is unashamed and so audacious and immoral, that he forms a very dangerous center for infection, and is frequently an illegal trafficker himself.

Classes of Addicts

E. W. Adams, who has thoroughly studied these questions, divides the drug addicts in four main classes, namely:

1) *Stabilized Addicts*, or those who do not increase the dose, and never exceed a certain usually small quantity administering it for the stimulating effect. These are the addicts whom I call "benign" because they form a group of persons frequently of great professional usefulness and social value, and they do not bear the mark of a narcotic addict.

2) *Accidental Addicts*, or those whose acquired addiction through scientifically justified medical treatment, or perhaps, in some cases, through lack of care on the part of the physician or nurse, in other cases through self-treatment of pain, or finally, perhaps through bad example or bad surroundings.

3) *Natural Addicts*, or, those who were more or less born as such. They are persons of inadequate personality, the so called psychopaths, or persons who are mentally unstable. I do not mean to say, of course, that all psychopaths or psychoneurotics are predestined to drug addiction, although many of them are particularly predisposed to become addicts under favorable circumstances, or, from our point of view, unfavorable circumstances.

4) *Criminal Addicts*, or those who are really vicious and who, moreover, deliberately use drugs with the desire to fortify themselves for a life of crime. To my mind, it is still matter of discussion whether the persons who use these drugs for their known aphrodisiac effects should be counted as criminals. Perhaps they are narcotic addicts, accidentally made criminals.

Among the many classifications of this subject which exist, the one explained here seems fit for purposes of our consideration. It gives a clear enough distinction between the different classes of addicts, as clear as can be expected when treating not a dead subject, but living human beings, granted that in biological questions we can never schematize as much as in other sciences.

Moreover, this classification is of evident value for practical

purposes. In numerous cases it would be preferable not to subject the stabilized addict, of the first group, to a cure of desintoxication. Many accidental addicts, of the second group, want themselves to be cured and give a rather satisfactory prognosis. The natural addict, of the third group, present another and still more complex picture. A considerable part of them do not even have the real desire to be cured, and when this is the case, the treatment is difficult and relapses are very often observed. The treatment of the criminal addicts, of the fourth group, who interest us here particularly, is almost hopeless, unless a miracle occurs.

Experience of Different Countries

There exists material of diverse sources on the undoubted influence of habit forming drugs in criminality. It is understood that the observations and experiences in the different countries are not corresponding, nor can this be so for many comprehensible reasons. In effect this should compel a broad, comparative study, but at this time I can only offer a few views.

At this actual moment narcotic addiction is not to be considered as a problem of great social importance in the Argentine, since the latest statistics of the mentioned Narcotic Bureau demonstrate that little by little the illicit traffic has diminished, especially in the last few years.

One of the factors responsible for this decrease is surely the obligation for doctors, to use official order forms, like a check book form and in triplicate, introduced by the National Department of Hygiene, since June 30, 1939. Moreover, since July of the same year, Bill No. 12,583 potentially restricts the narcotic traffic. The modified articles 376, 377, and 386 of the Code of Criminal Proceedings, do not now permit a provisional liberty for those charged with "illegal sale, delivery, or supply of narcotics," a privilege granted to them before. These modifications were of good effect. Already a very reduced percentage of relapses is noted. Apart from these two reasons the war indirectly favored the lack of merchandise and so the suppression of the clandestine traffic.

In comparison to the improved situation in this country, it seems to me very significant that the United States has also announced, in the 1940 report, a considerable decrease in the number of narcotic addicts. The number of non-medical drug addicts known to the authorities has diminished to at least 66 percent in the past two decades. This is attributed to the strict control, and moreover to prices at prohibitive heights, adulteration, and finally, to the scarcity of drugs in the last times on the illicit market.

An analogous situation exists in Canada, according to recent personal information from Colonel C. H. L. Sharman, Chief of the

Narcotic Division of that country. He states that there exists at present a complete interruption in the illicit drug traffic coming from Europe. For example, the price of heroine on the illegal market has risen to a fantastic height, almost seven-hundred times higher than the price one would pay for the same quantity on presenting a regular medical prescription.

Returning to the situation in the Argentine, I would like to add that I have deliberately abstained from enumerating the quantities of the different narcotic drugs seized, because to my mind they do not form an adequate basis for comparison; the number of delinquents arrested corresponds in no way to the amount of seized alkaloids, and neither does it give a true impression on the quantity of drugs available in the illicit traffic. On the other hand, the number of traffickers arrested annually shows the situation with certain fidelity, on the supposition that the work of the Narcotic Bureau is carried out, year after year, in a uniform manner.

It is more important for the judgment of the situation that the Police of the Federal Capital have been able to wipe out some bands of international traffickers who had tried to establish themselves in Buenos Aires.

In the records of this Narcotic Bureau 1,500 persons are registered as drug addicts, and also 620 dealers and drug peddlers, some of them taking drugs themselves. These figures include of course only the registered addicts, whilst the only fact known of the majority of addicts is, for obvious reasons, that they do take drugs. The total number of addicts, unfortunately, is very high.

May I add, at this opportunity, that the police work relating to habit forming narcotic drugs differs from almost all other types of police work, through lack of complainants and also lack of corpus delicti, and the impossibility of recognizing the merchandise in question by its owner. Moreover, the police encounter great difficulties in their fight against rings of partners who at times belong to circles of high social standing.

The country that has analyzed most thoroughly the said relations between narcotic addiction and criminality, scientifically as well as practically, based on a considerable material and employing all possible methods, is the United States. The base for general conclusions forms a statistical study³⁴, which contains the following facts: 4,639 sentences imposed on narcotic violators during the course of two years (July 1934 until June 1936); the criminal history of all narcotic violators condemned during the last six months of the mentioned period, totaling 1,268; the number of registered or unregistered drug dealers convicted during a period of 5 years (1931 to 1935); sentences of "probation" pronounced against narcotic violators during a period of 2½ years (from January, 1932, to June 30, 1934).

The results of this extensive study offer facts of fundamental importance:

Only 11 percent of the convicted drug dealers were registered dispensers. The number of violators who were narcotic addicts at the same time, was alarmingly high, nothing less than 72 percent of the mentioned 1,268 violators. 40 percent were recidivists, some having infringed the law as many as 13 times. 47 percent of them had violated the law one time, 36 percent two or three times, and 17 percent four or more times. 38 percent of the mentioned 1,268 defendants had committed other crimes beforehand running the gamut from murder to vagrancy, and leaving an average of 4.3 crimes for each individual. 58 percent of the total had prior records either of narcotic violations or other crimes, or both. Violations of said law are even more important when the offenders are, themselves, narcotic addicts.

The drug peddler, and especially when he is an addict himself, is a person of low moral standing. It is therefore not surprising that 51 percent of these persons were sentenced for disorderly conduct, vagrancy, prostitution, and other acts usually committed by persons of this class. Therefore it does not need further explication that 42 percent of the crimes committed are caused by motives of profit, robbery and theft, while the crimes of violence including murder and assault do not reach more than 4 percent.

There is no direct correlation between the number of violations of the narcotic law and the density of population. For example, the convictions in the State of Texas reach 9.2 (per 100,000 population), while New York, with double the number of inhabitants, has only 1.9. Moreover, in Hawaii, with only the twentieth part of the population of Texas, they reached 28.0. It can be seen from these figures that the density of population is not a determining cause of the high percentage of those offenses. Without doubt, however, great influence is exercised by the large metropolitan areas, bad slum districts, a high percentage of population of Oriental origin, and also, accessibility to large ports. Considering these conditions, one would apparently reach the conclusion that the State of New York should have the highest percentage of convictions. However, in reality, the State of Illinois surpasses it three times in violations. The significance of this comparison is the simultaneous decrease in the number of convictions with the increase in the average length of punishment.

State:	Number of convictions	Average days of imprisonment
Illinois	751	418
California	273	618
New York	247	873

According to these figures the most severe sentences have the greatest intimidating influence on the violators. The most favorable place for a narcotic violator would be, in consequence, Illinois, not New York. The very high number of violators on the Island of Hawaii is explained by the presence of a large Oriental population, among which the habit of smoking opium prevails.

The fines imposed do not form an important factor. The average was \$213 (US), and only 19 percent of all convicted defendants were fined. The usual punishment was imprisonment for an average of 672 days, or a little more than a year and a half. Only 6 percent of the prison sentences reached 5 years. The average duration of imprisonment increased with the number of previous narcotic violations. It is surprising how many defendants with records of over two violations of the law were sentenced conditionally and no explanation given. The ratio of probational and suspended sentences of this type was not very high (14 percent). However, in some North American States this proportion may show a serious aspect, as in many instances the number of probational sentences was high and the number of actually imprisoned offenders low. The high rate of recidivists indicates that probation is not a very effective procedure with violators of the narcotic law. Very frequently, to be exact in 34 percent of all cases, the sentence of probation has been revoked a short period after its imposition. Thus it seems that this method in respect to this type of infractors is of "negative value."

Communications of other authors, of which I can here enumerate only a few, show that the observations not only do not always coincide but at times diverge.

Raynor and Bauer have stated that over 70 percent of 1,292 individuals treated at the Workhouse on Ward's Island for their narcotic addiction, had criminal records and that more than half of them had violated laws as the result of their habit (Woods). Returning to the experiences of Kelly among the prisoners in Burma, the majority of convicts had begun their criminal career as a direct consequence of their addiction.

Moreover, a thorough analysis of 225 cases in the United States by Kolb has revealed that the majority of morphine and heroine addicts were criminals before becoming addicts, and that no opiate had directly induced them to commit a violent crime. According to Kolb, morphine and heroine addiction are only incidents in the criminal's career.

H. J. Anslinger, Chief of the Bureau of Narcotics of the United States, at the 24th session of the Opium Advisory Committee in Geneva, emphasized that according to evidence found by him, narcotic addicts are first criminals and later become addicts.

This is the view, also, of Colonel C. H. L. Sharman, to whom I

have already referred, according to his statement at the 25th session of the Committee, in 1940. He showed that the majority of 50 sentenced narcotic addicts and traffickers in a single Canadian city had anterior criminal records, often large ones, for other misdemeanors.

Another recent investigation in the United States is in agreement with this evidence³⁶. It was found that many criminals with long police records later took drugs. 83 percent of 119 histories of narcotic addicts taken at random had records, some of them large ones, of delicts committed before their association with the drug. Here, then, narcotic addiction appears as one of the final phases in a criminal's career.

In comparison, experience shows that in England not only the number of addicts is extraordinarily low but the relation between addiction and criminality insignificant, meanwhile alcoholism presents there a much more serious problem¹¹.

Judicial Aspects

The United States does not put up with simply sentencing the violators, but combines with it the judicial action necessary for the protection of public health, other social and medico-social measures for the protection of the criminal himself and his rehabilitation, if possible. This refers to the model institution for the treatment of sentenced narcotic violators which I have attempted to explain more in detail before⁴². In order to be able to effect a satisfactory cure it is necessary to have sentences sufficiently long. Those of short duration are not efficient in general, not even as a warning; and neither is it probation, because the violators do not have the moral premises to take benefit from such treatment, unless it is combined with a serious cure in one of the mentioned hospitals of the U. S. Public Health Service.

It is not possible to standardize the judicial part of the problem in question because of the great variety and complicated nature of the crimes, and also of the criminal himself. The types of offenders range from the degraded drug peddler, who at the same time may be an addict, to the wealthy wholesale distributor. The narcotic addiction itself very often provides the necessity of entering the sphere of vice, and the addict is thus included in this circle of social corruption. The peddler is not so dangerous for the small quantity of drugs which he distributes, but as a spreader of addiction. The illicit wholesale dealer constitutes the real menace because he forms the link between the smuggler and the peddler. He commits what is perhaps more serious than many capital crimes, for he breaks the spirit of many people, and does much more damage.

It seems that the longer the sentence the better the effect, es-

pecially considering the fact that most offenders of this type will relapse. Especially all illicit wholesale dealers should be sentenced to maximum terms. That way, at least, they are kept for some time from their nefarious activity. The imprisonment also minimizes the attraction of easy fortunes, gained at the expense of tragedies which they cause or aggravate in their neighbors.

However, in these cases, one should avoid to accumulate too many addicted prisoners in the same penal institution, due to the undesirable effect on the educative value of the imprisonment, and because of the bad influence that certain veteran criminals exercise on young, inexperienced inmates. E.g., 20 percent of 80 criminals analyzed in a large prison in British India⁸ confessed that they had acquired the use of narcotics during their imprisonment on the suggestion of their fellow inmates, with the idea of overcoming the worry of prison life, and to enable them to do hard work without feeling tired. Our attention is called to the fact that it is evidently possible to receive drugs even in prison, in spite of the supposed strict vigilance exercised by the authorities. A. C. Prentice made similar observations in the United States, and equal irregularities are known in no small number of public and private institutions during the treatment of drug addiction, as I have been able to find out in some countries. The drug is delivered to the prisoner by relations during visits, or is bought from other prisoners, from guards, or from nurses in the prison itself.

The easily understood anxiety to remedy the situation created by the abuse of narcotic drugs is logically transformed into a tendency to establish rules of universal application. But in view of the individual conditions of each case and still more of the national situation in the different countries, we must avoid the sophism of generalization. The difficulties of the problem are large, for the sentence should take into account not only the necessity for imprisonment but also the pathological needs of the prisoner; not only the protection of society but also the future of the condemned. Moreover the punishment should be severe enough to prevent, as far as possible, a repetition of the crime. A strict collaboration is therefore necessary between the criminologist and the physician in order to find the most effective solution possible for the narcotic drug problem.

Effect of Particular Narcotics

I pass over the alcohol problem, very often discussed and well known, and which does not pertain to the subject of narcotic addiction. I only mention that certain mental illnesses can produce a higher state of inebriety. Many cases of mental disorder in the form of dementia or oligophrenia have been discovered because

of a crime committed, due partially to alcoholic intoxication. I cannot instance analogous drug cases.

Opium and its effects—good as well as bad—has been known since olden times. Apart from the Far East it did not influence at that time the public health nor the social structure. Its mischievous effects appeared only after the discovery of morphine in the year 1804, and the invention of the syringe in the year 1853. Its use was incited even more by the wars of the times, the Crimean War (1856), the American Civil War (1861-65), and the Franco-Prussian War (1870), which, by reasons easily explained, contributed in a way not imagined beforehand, to the extension of the use of morphine and, fatally associated therewith, of the consequences which lead to morphine addiction.

The criminal part is closely linked with this development. In general morphine addicts do not have any inclination to commit violent crimes, which do not correspond to the effect of morphine nor to the type of the addict himself. In reality, to mention extremes, morphine makes the addict more capable of committing robbery than murder. Apart from the mental constitution of the majority of morphine addicts, the impoverishment so frequently observed in the narcotic addict induces him to commit crimes against property, because he finds no other way to get the drug, or the possibility to buy it.

According to critical observations the same is true with *heroin*, although some quotations in the lay literature disagree. In fact, due to its more disastrous effect on character, its strength about five times more elevated than that of morphine, and since it is the only opiate which can be sniffed like cocaine, the influence of heroin is even worse than morphine, and so is also the social and clinical problems which it presents. Therefore the abuse of heroin should be suppressed with even more energy than that of morphine, and as much as it is possible, its medical use also should be restricted. Some countries have already approved this, based on a recommendation brought about at the 1931 Convention in Geneva.

Opium eating, as in British India, appears rather to inhibit violent impulses, diminishing the vitality and reducing the ambition and courage which are necessary for an impulse toward criminal acts. It is consequently more probable that opium eaters will steal rather than murder a person. With this observation coincides the well known fact that certain narcotic addicts frequently handle stolen goods.

The bulk of experience in British India on the effect of *smoking opium* has revealed that the offenses of smokers of opium were, as a general rule, of a minor character because smokers are usually

passive and indifferent people who avoid physical force. In this respect the smoker of opium differs from the smoker of *ganja* or *charas* or smokers of *Indian hemp* (Chopra). The latter are frequently excited, or maniacs, and are capable of committing serious crimes including murder.

These statements agree with the investigations made by To in the Japanese colony Formosa, which, due to exterior and administrative conditions, is especially favorable to studies of this type. The law violations by opium smokers surpassed two or three times the total number of those committed by nonsmokers. During 28 controlled years 1.08 percent of all opium smokers committed violations against the respective laws, but only 0.412 percent of the population in general. These crimes concern especially violations against property, falsification of documents, robbery, etc., and less frequently acts of violence. More recent statistics from the same source confirm this data, revealing that 70.83 percent of opium smokers were delinquents, while only 29.17 percent of the population in general are in this class.

There is not any doubt that *cocaine* is rightfully considered as one of the most efficient causes of criminality which should be attributed to the fact that it atrophies the moral sense when taken habitually.

According to police experience there are criminals who take cocaine to produce the reckless and careless state favorable to a major crime. Smaller doses are more effectual. Cocaine, however, does not raise criminal impulses, but increases the mental and physical energies of the criminal in such a manner that he is more fit to transmute his impulses into action. Then, under the influence of the drug he becomes very aggressive and uses his arms against the slightest resistance; but when not under the influence of the cocaine he thinks under the same circumstances only how to save himself. A. H. Sirks, in his time Chief of Police of Rotterdam, and for many years Technical Assessor of the Opium Advisory Committee of the League of Nations, claims for example that many gangsters of Chicago, the so called "Tommy Men" are cocaine addicts and that they display under the influence of the drug not only a desperate and intrepid courage, but also manifest blood-thirstiness.

Sometimes cocaine is also used with the intention to have, in case of capture, a reason to ask for suspension of sentence, or at least, to invoke the benefit of attending circumstances, declaring to have been under the influence of cocaine. According to the concepts that govern penal legislation in the majority of countries, and also for the psychological reasons involved, the expert as well as the judge will refuse to reduce the responsibility, and on the

contrary, will be in favor of extending the punishment, keeping in mind the extreme danger of the criminal.

The effect of the influence of cocaine on criminal action appears to minimize the importance of alcohol in this matter. There are observations of the disastrous effect of cocaine, strengthening the effect of some drugs when combined with them; the combination of cocaine with heroine, e.g., favors criminality to a maximum.

The influence of *coca leaves* on criminality deserves a separate discussion. It would be worthwhile to study carefully the relationship between coca leaves and crime, and their mutual influences. But to realize this purpose we need more statistical documentation as well as experience on the influence of the other factors of delinquency, than we possess. In the Sierra of Peru, e.g. one can study these interrelations to best advantage. Luis N. Sáenz, a well known Peruvian authority on coca questions, states, that "the frequency of delinquency is a well known fact in the Sierra and that crime which is not always the result of violence or the sudden release of sentiment and passion, almost always bears, among the population of the Sierra, the mark of the extreme cruelty of the criminal." The exciting action of coca is added to the absence or diminution of moral sense and the lack of ethics: The coca gives, according to its users, "valor." It even makes native children lose their terror of the dark and their fear of being alone.

Alcoholics before attempting any crime resort to alcohol, and cocaine addicts to their cocaine, and in similar cases, the coca user to his "chaccha." According to Sáenz, in the Peruvian Sierra the practice of the popular element to precede any attempt at crime by a good ration of coca as a stimulant is frequently observed. It is used alone or combined with alcohol. There are of course other strong factors, that are a base for crime, and among these especially the factors that generate an inferiority complex: the psychic constitution, heredity, environment, education, improper care as a child, etc. In many cases it is this inferiority complex which, combined with addiction, forms the principal root of criminality. Therefore, in drawing a psychological picture of this type of criminal the Peruvian author Enrique Lopez Albújar speaks of them as "gentlemen of crime" (Gentlemen Bandits).

Similar facts have been noted between chewing coca and cocaine addiction; viz., a change in conscience let the addict forget his respect which one has to pay for the lives and property of others.

The statement that criminality is proportionately greater among the Indians of the Sierra than among those of the coast, proves the existence of a direct relation between the abuse of coca and criminality. Without intending to minimize the role of the

coca plant in the etiology of criminology, this observation is not absolute proof in my opinion, and I refer in this sense to the psychological influence already mentioned.

In this connection we must mention the generalization of the coca habit among the inmates of all the Peruvian prisons. In the Lima Prison, according to Seminario Helguero, there was a near revolt in April, 1935, because of lack of coca.

Coca, and not alcohol, is the primary factor of delinquency in the Sierras. Alcoholism is stated by criminologists as a factor in delinquency not because it leads directly toward crime in all cases, but in most cases as a consequence of psychological changes, intellectual as well as moral, due to the poverty and lack of adaptation which it causes. The effect of coca is considered like the effect of alcohol.

Moreover, when the coca chewer is under the influence of his drug, the quantity of alcohol he needs to inebriate himself, is much larger than when he had not taken "a shot"; and on the contrary, the effect of the alcohol diminishes upon taking a coca shot. The same is known of cocaine.

There is no doubt of the relation of the coca and cocaine which I have just described, to our problem. It is not possible, however, to form at present an opinion on the influence of coca and cocaine on the *type of crime* through lack of proper data.

Finally, we must discuss briefly the relation between criminality and the effect of *Indian Hemp* (*Mexican Hemp*), better known under the names of *hasheesh* and, in our continent, *marihuana*. This last name originated in Mexico and is now officially accepted in the United States.

The spread of marihuana in the United States gives us a significant example of the advance of a drug addiction in a country where it was not (or scarcely) known before (another instance is the extension of cocaine in British India; see P. O. Wolff, 1932). This abuse developed especially in 1935 and 1936, while 10 years before it was relatively unknown, except in some regions of the southwest. Unfortunately at present this drug has there become a more important factor than we could have imagined a short time ago. During my stay in New Orleans in 1932 I was able to observe some cases. Already at that time one hundred twenty-five out of four hundred fifty prisoners confessed they took marihuana. Actually, during a period of 15 months, 1500 violations of the law were registered. The situation created is especially dangerous because the abuse includes groups of persons who previously were not contaminated by such a habit.

The following facts, above all, facilitate the spread of marihuana: It grows wild and it is extensively cultivated for industrial purposes, i.e., for the production of its soft and strong fiber. This

has doubtless served to spread knowledge of it, and also to incite its abuse, although we do not know the extent of it. On the other hand, the fact that it is only necessary to smoke the (inexpensive) cigarettes, at a few cents each, to obtain the effect of the drug contributes to the diffusion of marihuana. In the beginning peddlers even gave marihuana to college students so as to accustom them to its use.

The consideration of marihuana is even more complex, as it has not been clearly proved whether it causes a perfect drug addiction or not. According to our actual experiences, it can only be established that it has a disastrous effect on a great many persons, and that it produces a certain grade of addiction when smoked over a long period. Numerous marihuana users, although not all of them, feel the need of increasing the dose, although it does not produce the same slavery as opiates do. There is one divergent opinion (Bromberg); according to this author marihuana does not create any addiction whatever. This observation, however, differs fundamentally from that of other investigators.

Even more serious than the grade of addiction that results from marihuana itself is, according to Walton, the fact that a considerable proportion of marihuana addicts are induced to take heroin.

The physical and mental effects of marihuana without any doubt lead to a mental and moral degeneration. Although when it does apparently not produce a physical dependency, this drug is certainly more harmful than opium in regard to a resulting mental illness.

Knowing that the marihuana user can convert himself into a dangerous individual, one should not think that whoever smokes a marihuana cigarette and becomes intoxicated by it, will already have criminal tendencies. On the other hand there is no doubt that the excessive use of marihuana tends toward crime which many times is not an intentional misdemeanor, but one that originates partly from the situation, partly from a pathological reaction, and partly from the state of special impulsiveness which exists while influenced by the drug. In this respect marihuana is similar to alcohol, although probably more dangerous due to the peculiar sensations and hallucinations which it produces. A personal communication received from Dr. J. Chelala-Aguilera, member of the Cuban League Against Narcotic Addiction, gives us an example of these hallucinations in relation to police work. He says, "It is quite common that addicts imagine they are little parrots, and promptly climb the nearest tree from which they make sounds like the bird itself. The police, knowing of this type of hallucination, capture them easily by calling to them as if they really were parrots, and they come down meekly."

Inhibitions become released, the judgment deformed. Personal character determines the manner of individual reaction when one is under the influence of marihuana. The drug very often produces a state of most extraordinary sensibility and excessive irritability as a result of paranoid ideas which appear rapidly under the influence of marihuana. The state of fear, delirium and extreme excitement increases to such an extent that it leads the individual toward suicide or murder. After marihuana users feel persecuted and finally convert themselves into the persecutors, attacking all those who cross their path. This is the diabolical effect which is called "amok" by the Hindus.

The addict tries to liberate himself from some imaginary danger and therefore attacks, becoming dangerous, because marihuana notably augments individual inclinations. Thus many criminal acts are explained, whose origin should be sought in the characteristic effect of this drug. Consequently, when under the influence of this drug, unimportant reasons become sufficient for an attempt on the life of a third person, sometimes without any motive whatever. Here the name "hachichin" (assassin) originates. This refers to a person who, under the influence of the drug, will kill as ordered.

Some of these addicts like the reputation of courage, intrepidity, and impetuosity. They are men that want to prove their strength in any available manner. Among their comrades who have less courage, they act the role of heroes, and are the first in line when there is a dispute with third persons, if they have not had them provoked themselves. This tendency is manifested so much that everybody, including their admirers take great care and avoid exciting or offending them. But, in reality, they are not very authentic heroes. During the effect of the drug they are victims of hallucinations and fright as well as the others, and they escape when the situation becomes dangerous.

Persons with animated phantasy feel the effect much more intensely than do others whose lives are more dispassionate and insipid. Marihuana augments and promotes ideas and illusions that are already developed in the mind, but does not create others. Thus it is possible for a person inclined to crime to put his criminal tendencies into practice, when he is under the effect described, viz. in a state of suppressed inhibitions; when he lacks normal self control.

The effect is different in a sane person. When he comes under the effect of marihuana, he acts like a person intoxicated with alcohol. He annoys himself and those around him, but he does not constitute a danger. This difference, to my mind, is very important.

But even when taken in small quantity, marihuana is not free of danger. It affects perception; there is particularly a distortion of the time and space senses observed, and an exaggeration of them. This can become the cause of accidents, when, for example, the marihuana smoker drives an automobile.

From the stated facts it can be seen, without more ado, that the legal responsibility in these cases continues to be a subject of controversy, since we have to take into consideration all the different grades of temporary mental disturbances caused by the drug.

A great many criminals are found in this type of addict. This is proved apart from the North American observation, by the police of many countries of the Far East, North Africa, British India, etc., because especially the Arabs are anxious to enjoy in great scale the stimulating effects of marihuana. According to observations of the police in Athens the majority of this type commit violent acts, corporal crimes, profanation, armed robbery, sex crimes, even rape, etc. Many have previous criminal records, or are professional thieves.

There are cases of habitual criminals who take marihuana in regions where its use is not very common, when they intend to commit crimes. A well known story is told by H. W. Maier on the case of a patient observed some years ago in Switzerland. This man, both cocaine addict and criminal, told that people of his class took cocaine and also marihuana so they could "work better."

The dangerousness of marihuana is revealed, moreover, in the fact already mentioned in regard to other narcotics, that it infects other persons. This is particularly observed in the prisons of countries where the plant is abundantly abused. Addicts in prison initiate other prisoners in the jail itself. Bloody battles between groups of marihuana addicted prisoners are not rare, due to the hatred and distrust created by the effect of the drug.

A special commission in British India, where, in spite of great care, the problem has reached enormous proportions, has been unable to reach definite conclusions on the problem of the relation which exists between the excessive use of hasheesh, the consequent mental disorders, and crime. In 1935 Chopra, after numerous clinical observations, showed a distinct but not definite correlation between the effect of marihuana, insanity, and criminality. After having collected more information, in 1939, the same author, who has wide experience in this field, stated that the commission of certain major crimes under the influence of marihuana did not *necessarily* prove the existence of a sure and definite relation between the drug and crime. This does not form a base, however, for any analogical reasoning with respect to alcohol, or the mental condition that the latter produces in known cases, where it gives rise to a sensation of bravery and courage, as the result of the depression

of the function of certain cerebral centers, in which state very serious crimes originate. In general, or at least in India, the abuse of marihuana occurs mainly in the class of people that usually produces the majority of criminals. Therefore, Chopra states that no conclusive proof exists to show that marihuana *provokes* crime. This situation changes in regard to *premeditated* crimes. Because of marihuana's tendency to develop or bring into play the natural disposition of the consumer and to emphasize his true character and peculiarities, it is especially capable of leading up to crimes of violent nature.

For reasons already stated, however, these statements refer only to India. The situation in other countries, and also the opinions of the experts, differ, as I explained before. This example of India demonstrates the complexity of the problem and also the necessity of taking care, when forming an opinion, of the nation, and also the type of person concerned.

This brief analysis of marihuana shows, I hope, decisively its menace to public health. Therefore I have emphasized this danger, and this all the more as the possibility of its future extension more to the South of our Continent is not at all excluded.

Prevention

The relations between the medical, legal, and social aspects of narcotic addiction are rather close. While we, the physicians, are searching for really efficient methods of treatment, the legislators, criminologists, and sociologists are contributing, with all the means within their reach, to the prevention and suppression of the anti-social consequences of drug addiction. It is not only a question of the illegal traffic, which menaces public health, and which would be a much greater menace to it, if there were not the national and international laws and restrictions. The latter ones, with their prophylactic aims and their thorough control harass by force the medical profession as well as the addict.

Peddlers and addicts form a solid block. The traffickers need the addicts because if the latter disappeared, the illegal drug dealers would have to disappear too.

To arrive at the ideal, much scientific work, and also much administrative and organization work, medical and also criminologic, will be necessary. May I quote at this opportunity some measures which should be able to make our fight against drug addiction more active; among other things a collection of all the sentences pronounced in this matter, and moreover, a critical statistical investigation of the causes and relations of drug addiction to other crimes and to the sentences pronounced, and furthermore a comparative study of the laws and penal conditions in other countries, particularly in our continent.

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